

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
v.)	CRIMINAL NO. 04-30004-MAP
)	
ROOSEVELT ARCHIE)	
Defendant.)	

**UNITED STATES' MOTION FOR
FINAL ORDER OF FORFEITURE**

The United States, by and through its attorney, Michael J. Sullivan, United States Attorney for the District of Massachusetts, hereby moves that this Court issue a Final Order of Forfeiture in the above-captioned case pursuant to 21 U.S.C. § 853 and Rule 32.2 of the Federal Rules of Criminal Procedure. A proposed Final Order of Forfeiture is submitted herewith. The United States sets forth the following grounds in support of the instant motion:

1. On or about February 19, 2004, a federal grand jury sitting in the District of Massachusetts returned a three-count Indictment charging defendant Roosevelt Archie (the "Defendant"), with Possession of a Firearm and Ammunition by a Convicted Felon, in violation of 18 U.S.C. § 922(g)(1) (Count One); Possession with Intent to Distribute Cocaine Base, in violation of 21 U.S.C. § 841(g)(1) and Aiding and Abetting, in violation of 18 U.S.C. § 2 (Count Two); and Possession of a Firearm in Furtherance of a Drug Trafficking Crime, in violation of 18 U.S.C. § 924(c).

2. The Indictment sought the forfeiture, pursuant to 21 U.S.C. § 853, of any and all property constituting or derived from, any proceeds the Defendant obtained directly or indirectly as a result of the offense alleged in Count Two of the Indictment, and (2) any of the Defendant's property used or intended to be used, in any manner or part, to commit or to facilitate the commission of such offense, including, but not limited to: (1) \$3,469.00 in U.S. Currency (the "Currency"), and (2) a 1999 Gray Honda Accord with Massachusetts Registration 8880YG (the "Vehicle").

3. On August 31, 2005, pursuant to a written plea agreement, the Defendant pled guilty to Counts One, Two and Three of the Indictment and agreed to the forfeiture of the Currency. The government is not pursuing forfeiture of the Vehicle.

4. On October 19, 2005, this Court issued a Preliminary Order of Forfeiture against the Defendant's interest in the Currency.

5. On April 3, 2006, April 10, 2006, and April 17, 2006, a Notice of Order of Forfeiture was published in The Republican newspaper pursuant to 21 U.S.C. § 853(n).

6. No claims of interest in the Currency have been filed with the Court or served on the United States Attorney's Office, and the time within which to do so expired on May 17, 2006.

WHEREFORE, the United States respectfully moves that this Court enter a Final Order of Forfeiture against the Currency in the form submitted herewith.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney,

/s/Kristina E. Barclay
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Date: September 22, 2006

CERTIFICATE OF SERVICE

I, Kristina E. Barclay, Assistant U.S. Attorney, hereby certify that the foregoing was filed through the Electronic Court Filing system and will be sent electronically to the registered participants as identified on the Notice of Electronic Filing.

/s/ Kristina E. Barclay
Kristina E. Barclay
Assistant U.S. Attorney

Date: September 22, 2006